

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*

State Engineer, *et al.*,

Plaintiffs,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 MV/KK

Rio Chama Adjudication

Section 3: Rio Cebolla

ORDER DENYING MOTION FOR PRETRIAL CONFERENCE

THIS MATTER is before the Court on the State of New Mexico's ("State") Motion for Mandatory Scheduling and Pretrial Conference in the Rio Cebolla Subsection of Section 3 of the Rio Chama Stream System, Doc. 11312, filed December 12, 2017.

The Court ordered Defendants in the Rio Cebolla Subsection of Section 3 of the Rio Chama Stream System ("Rio Cebolla Subsection") to file an objection with the Court if they disagreed with the State's proposed determination of the priority date or irrigation water requirements their water rights, or the priority date or irrigation water requirements for any other water rights, for irrigated lands in the Rio Cebolla Subsection. *See* Doc. 11281, filed September 11, 2017. The Court notified Defendants that if they file an objection, the Court would notify them of a mandatory scheduling and pretrial conference where they will learn how the objections will be heard by the Court. Four Objections were filed with the Court. *See* Doc's 11308-11311, filed December 4 and 11, 2017.

The State now asks the Court to set the mandatory scheduling and pretrial conference. The Court will not set the mandatory scheduling and pretrial conference at this time. Instead, the Court will order the State to file a proposed scheduling and pretrial order.

IT IS ORDERED that the State of New Mexico's Motion for Mandatory Scheduling and Pretrial Conference in the Rio Cebolla Subsection of Section 3 of the Rio Chama Stream System, Doc. 11312, filed December 12, 2017, is **DENIED**.

IT IS ALSO ORDERED that the State, within 21 days of entry of this order, file a proposed scheduling and pretrial order for resolving the Objections, and serve a copy of this Order and the State's proposed scheduling and pretrial order on those Defendants that timely filed Objections. Those Defendants shall have 14 days after service of a copy of this Order and the State's proposed pretrial order to file a response to the State's proposed pretrial order. The State shall have 14 days after service of Defendants' responses to file a reply.

A handwritten signature in black ink, reading "Kirtan Khalsa", written over a horizontal line.

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE